

Staff recommended that the Zoning Administrator adopt the draft resolution and approve application No. PA2012-005 for NP2012-001.

The Zoning Administrator opened the public hearing. The applicant's representative, James Pearson, gave a brief response that he agreed with staff's recommendation. Pearson also stated that he had reviewed all of the draft conditions of approval, understanding and agreeing with all of them. Jim Mosher commented on a typo and asked for clarification regarding City Standard 110-L regarding site distance requirements of the Public Works Department. There were no other public comments.

Zoning Administrator Wisneski stated that she agreed with the facts in support of the findings in the draft resolution and approved the application and adopted the resolution.

Action: Approved

ITEM NO. 3 Mariner's Pointe Temporary Parking Lot - Limited Term Permit No. XP2012-001
(PA2012-013)
100 Dover Drive CD #3

Jaime Murillo, Associate Planner, gave a brief overview of the application for a limited term permit. The applicant is requesting to utilize the City-owned property located at 100 Dover Drive as an off-site parking lot for construction workers of the Mariner's Pointe project located across Dover Drive at 100-300 West Coast Highway. The Mariner's Pointe project maximizes the envelope of the site and during the construction phase of the parking structure there is no room to accommodate the worker's vehicles; therefore, the applicant is requesting to utilize 15 spaces on the City-owner lot until the parking structure is completed. Upon approval by the Zoning Administrator, the applicant would be required to enter into a lease agreement with the City specifying the terms of the agreement, including fees and insurance requirements.

The Zoning Administrator opened the public hearing.

Ward Collar, contact for the project, provided additional explanation for the need for temporary parking. He also stated that he was not sure when the need for the off-site parking would begin due to various delays with the project, but that the proposed 12 month term of the permit should be adequate.

Jim Mosher, resident, made the following comments:

- Expressed concerns with the previous Limited Term Permit that was issued for the Bayshores Association and questioned whether there was adequate room for all the parking combined with this request
- Suggested that the site has historical importance and this request is not a good use for the site
- Inquired whether the City actually owns the property or if it is owned by the Irvine Company
- Questioned whether or not the existing improvements and proposed request requires a Coastal Development Permit
- Stated that the provisions for an extension was not appropriate because it was not needed based on applicants testimony

The Zoning Administrator responded to Mr. Mosher's comments and stated that the site is owned by the City and that she is only reviewing the temporary use of the site, and that the historical aspect of the site as it relates to the long-term use of the site is not relevant at this time. Jaime Murillo added that the City recently acquired the property from the Irvine Company, which was already improved with the modular buildings and gravel parking lot. A Coastal Development Permit is not required for this request because the gravel parking lot already exists and is not being improved.

Dan Purcell, resident, made the following comments:

- The lease agreement and fees should be available for review

- Questioned how the conditions of approval pertaining to hours would be enforced
- Questioned whether this request was the highest and best use of land
- Requested that the applicant keep the site clean

The applicant responded that he employs someone to be on-site everyday and maintain the site in a clean and safe condition. The Zoning Administrator also responded that the purview of this request is the limited term permit and not the terms and conditions of the license agreement. There were no other public comments.

The Zoning Administrator approved the application and adopted the resolution with the following change to Condition No. 9:

9. Use of the temporary parking lot is limited to the hours between 7:00 ~~p.m.~~ a.m. to 5:00 p.m., Monday through Friday. No temporary parking shall be permitted on Saturday, Sundays or Federal holidays.

Action: Approved

ITEM NO. 4 Betz Residence Addition - Modification Permit No. MD2012-005 (PA2012-016)
807 Ceiba Place CD #4

Benjamin Zdeba, Planning Technician, gave a brief overview of the application for a modification permit. The applicant requests to add approximately 890 square feet to an existing single-family residence that was constructed in 1963. The development is considered nonconforming due to the substandard interior dimensions of the garage, whereby Chapter 20.40 (Off-street Parking) of the Zoning Code requires 20 feet by 20 feet for a lot wider than 40 feet. The addition is limited to 10% of the existing development unless a modification permit is secured to exceed the limitation. Mr. Zdeba further added that the applicant is considering adding more than 890 square feet and the findings for the modification permit can still be made.

The Zoning Administrator opened the public hearing.

Andy Betz, property owner and applicant for the project, added that no additional bedrooms would be added as a result of the additional square footage.

Jim Mosher, resident, inquired whether or not there is a threshold of square footage that would require three parking spaces for a single-family residential project.

Mr. Zdeba responded to Mr. Mosher's comments and stated that a single-family dwelling with more than 4,000 square feet of livable area (excluding the garage) requires a three-car garage in most zoning districts.

Public comments were closed.

The Zoning Administrator approved the application and adopted the resolution.

Action: Approved

ITEM NO. 5 Newport Harbor Nautical Museum Signage - Comprehensive Sign Program No.
CS2011-006 and Modification Permit No. MD2011-017 (PA2011-142)
600 East Bay Avenue CD #1

Benjamin Zdeba, Planning Technician, gave a brief overview of the application for a modification permit in conjunction with a comprehensive sign program. The subject property has approximately 500 feet of lineal frontage and a comprehensive sign program is required whenever a multi-tenant development has

over 300 lineal feet of frontage. A comprehensive sign program allows deviations from the sign code including a 30% increase in sign area, number of signs, and sign location. The applicant is proposing to include four large exhibition wall signs and a pedestrian-oriented directory kiosk sign that both exceed the 30% increase in sign area and are not sign types regulated by the Zoning Code. Due to these deviations, the modification permit is required.

The Zoning Administrator opened the public hearing.

Jim Mosher, resident, expressed concern that the application would allow for more signage in addition to what already exists. He further added that the comprehensive sign program should restrict the existing signage and limit it to reduce clutter. Upon finishing his comment, Mr. Mosher stated he did not have adequate time to read the staff report in detail. The Zoning Administrator decided to close the public comment period to discuss the application with the applicant while Mr. Mosher reviewed the report and an additional public comment would be offered afterward.

The Zoning Administrator requested clarification on several aspects of the application:

- Questioned the purpose of the kiosk sign
- Questioned if there was an example of a multi-tenant sign as entitled in the sign program matrix
- Clarified that the tenant wall signs included non-rigid materials to cover the boat rental tenant and that the boat rental tenant's sign should be included as an awning sign so as to preclude the use of non-rigid materials for tenant wall signs
- Questioned the purpose of changeable copy on the directory signs
- Questioned how often the exhibition wall signs would be changed
- Clarified that the size of the Exhibition Wall Signs would be determined by the linear frontage of the building, but no larger than 150 square feet

Glenn Baaten and David Lugo, contacts for the property owner, provided the following clarification for the Zoning Administrator:

- The kiosk sign serves to bring pedestrian traffic off of the boardwalk
- There is not an existing, multi-tenant sign; however, the museum would like to consider consolidating signage as new tenants enter into leases
- Acknowledged
- The changeable copy would allow for tenant names to be changed when a change of tenant occurs
- Approximately every six months to advertise an exhibit
- Acknowledged

The Zoning Administrator reopened the public comment period.

Jim Mosher, resident, expressed concern that the building would not be demolished and the project would not be redeveloped; therefore, the proposed sign program would remain in place.

Dan Purcell, resident, suggested that upon removing signage, historical signage should be retained and treated as historically significant items.

The Zoning Administrator closed the public comment period.

The Zoning Administrator expressed concern with approving the pedestrian-oriented kiosk sign with the limited information provided by the applicant with respect to the size and location of the sign. A dialogue occurred between the Zoning Administrator and the applicant to determine whether or not the applicant would like to consider removing the kiosk sign from the proposal or if the applicant would like to postpone the decision and produce additional information. The applicant decided to remove the kiosk from the application and the Zoning Administrator approved the remainder of the project as modified below:

- A condition shall be added to obtain a building permit for all existing, unpermitted signage associated with the Nautical Museum.
- A condition shall be added to bring existing signage (i.e., window signage) into compliance with the sign program prior to issuance of building permits.

Action: Approved as Modified

4. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Jim Mosher, resident, expressed his appreciation for making the staff reports and draft resolutions available online in advance of the hearing. He also suggested staff consider uploading older resolutions to the website for easier viewing.

ADJOURNMENT – The hearing was adjourned at 4:24 p.m.

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